



Sen. Kimberly A. Lightford

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1 AMENDMENT TO SENATE BILL 237

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 237 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Course Equity Act.

6 Section 5. Definitions. In this Act:

7 "BHE" means the Board of Higher Education.

8 "Core course" means English/Language Arts I,  
9 English/Language Arts II, English/Language Arts III,  
10 English/Language Arts IV, AP English Language and Composition  
11 or an equivalent dual credit course, English/Literature, and AP  
12 English Literature and Composition or an equivalent dual credit  
13 course for English Language Arts courses as defined in the  
14 State Board's secondary course catalog; Integrated Math I,  
15 Integrated Math II, Integrated Math III, General Math,  
16 Pre-Algebra, Algebra I, Geometry, Algebra II, Trigonometry,

1 Precalculus, Calculus, AP Calculus AB or an equivalent dual  
2 credit course, and AP Calculus BC or an equivalent dual credit  
3 course for Mathematics courses as defined in the State Board's  
4 secondary course catalog; Biology, AP Biology or an equivalent  
5 dual credit course, Chemistry, AP Chemistry or an equivalent  
6 dual credit course, Physics, and AP Physics or an equivalent  
7 dual credit course for Life and Physical Science courses as  
8 defined in the State Board's secondary course catalog; World  
9 History, AP World History or an equivalent dual credit course,  
10 U.S. History, AP U.S. History or an equivalent dual credit  
11 course, Political Science, Civics, U.S. Government, and AP U.S.  
12 Government and Politics or an equivalent dual credit course for  
13 Social Sciences and History courses as defined in the State  
14 Board's secondary course catalog; Spanish I, Spanish II,  
15 Spanish III, Spanish IV, and AP Spanish Language or an  
16 equivalent dual credit course for Foreign Language and  
17 Literature courses as defined in the State Board's secondary  
18 course catalog; Computer Programming, Computer Operations and  
19 Programming I, Computer Operations and Programming II, Visual  
20 Basic Programming, C++ Programming, Java Programming, Computer  
21 Programming - Other Language, Computer Science, AP Computer  
22 Science A or an equivalent dual credit course, and AP Computer  
23 Science AB or an equivalent dual credit course for Computer and  
24 Information Sciences as defined in the State Board's secondary  
25 course catalog; Precision Metal Production I, Precision Metal  
26 Production II, Machine Shop Technology I, Machine Shop

1 Technology II, Welding Technology I, Welding Technology II,  
2 Industrial Maintenance I, and Industrial Maintenance II for  
3 Manufacturing courses as defined in the State Board's secondary  
4 course catalog; or Electrical Systems I, Electrical Systems II,  
5 Electrical Trades I, Electrical Trades II, Industrial  
6 Electronics I, and Industrial Electronics II for Architecture  
7 and Construction courses as defined in the State Board's  
8 secondary course catalog.

9 "Course Equity Catalog" means the website developed for the  
10 State Board that provides a listing of all courses authorized  
11 and available to students in this State, detailed information  
12 about the courses to inform student enrollment decisions, and  
13 the ability for students to submit their course enrollments.  
14 The data in this catalog must be published online in an open  
15 format that can be retrieved, downloaded, indexed, and searched  
16 by commonly used web-search applications. As used in this  
17 definition, "open format" means one that is platform  
18 independent, machine readable, and made available to the public  
19 without restrictions that would impede the reuse of that  
20 information.

21 "Course Equity Program" means the program established  
22 under this Act.

23 "Community colleges" means community colleges as defined  
24 in the Public Community College Act.

25 "Course provider" means an entity authorized by the State  
26 Board to offer individual courses, including, but not limited

1 to, public or private secondary education institutions,  
2 education service agencies, private for-profit or  
3 not-for-profit providers, postsecondary education  
4 institutions, and career and technical course providers.

5 "Eligible funded student" means any eligible participating  
6 student who is currently enrolled in a public school, including  
7 a charter school.

8 "Eligible participating student" means any student in  
9 grades kindergarten through 12 who resides in this State.

10 "ICCB" means the Illinois Community College Board.

11 "State Board" means the State Board of Education.

12 "School" means a public school included in the definition  
13 of "public schools" as defined in the School Code.

14 Section 10. Enrollment. An eligible participating student  
15 may enroll in Course Equity Program courses. An eligible funded  
16 student may enroll in Course Equity Program courses only if the  
17 courses the student wants to enroll in are not offered at the  
18 student's school. An eligible funded student may enroll in  
19 Course Equity Program courses up to the following level:

20 (1) Unlimited for core courses.

21 (2) At the discretion of the eligible funded student's  
22 school for non-core courses.

23 The families of eligible funded students and eligible  
24 participating students may pay to enroll in Course Equity  
25 Program courses above the levels specified in this Section.

1           Public schools where eligible funded students are enrolled  
2 full-time may review enrollment requests to ensure courses are  
3 academically appropriate and logistically feasible, keep the  
4 student on track for an on-time graduation, and do not extend a  
5 student beyond a full-time course load. Public schools may only  
6 reject core course enrollment requests for those reasons.  
7 Public schools must complete the review and denial process  
8 within 5 days after the student enrolls in the course. Public  
9 schools shall inform students and families at the time of  
10 denial of their right to appeal any enrollment denials in  
11 Course Equity Program courses to their school district's school  
12 board, which shall provide a final enrollment decision within 7  
13 calendar days after the appeal hearing.

14           Section 15. Course provider authorization process. The  
15 State Board shall:

16           (1) establish an authorization process for non-dual  
17 credit course providers that may include multiple  
18 opportunities for submission each year;

19           (2) not later than 90 calendar days from the initial  
20 submission date, authorize course providers that:

21           (A) meet the criteria established under Section 20  
22 of this Act; and

23           (B) provide courses that offer the instructional  
24 rigor and scope required under Section 25 of this Act;

25           (3) not later than 90 calendar days from the initial

1 submission date, provide a written explanation to any  
2 course providers that are denied; if a course provider is  
3 denied authorization, the provider may apply again in the  
4 future; and

5 (4) publish the process established under Section 20 of  
6 this Act, including any deadlines and any guidelines  
7 applicable to the submission and authorization process for  
8 providers.

9 If the State Board determines that there are insufficient  
10 funds available for evaluating and authorizing course  
11 providers and administering the Course Equity Program, it may  
12 charge applicant providers a fee up to, but no greater than,  
13 the amount of the costs in order to ensure that evaluation,  
14 authorization, and administration of the Course Equity Program  
15 occurs.

16 The ICCB shall establish a separate authorization process  
17 for dual credit courses offered by community colleges. The BHE  
18 shall establish a separate authorization process for dual  
19 credit courses offered by public and private universities. The  
20 ICCB and BHE shall collaborate and establish authorization  
21 processes that are identical to the extent practicable.

22 If the ICCB or BHE determines that there are insufficient  
23 funds available for evaluating and authorizing course  
24 providers and administering the Course Equity Program, it may  
25 charge applicant providers a fee up to, but no greater than,  
26 the amount of the costs in order to ensure that evaluation,

1 authorization, and administration of the Course Equity Program  
2 occurs.

3 Section 20. Course provider authorization criteria. To be  
4 authorized to offer a course through the Course Equity Program,  
5 a provider must:

6 (1) comply with all applicable antidiscrimination  
7 provisions, as well as applicable State and federal student  
8 data privacy provisions, such as the federal Family  
9 Educational Rights and Privacy Act;

10 (2) provide an assurance that all online information  
11 and resources for courses are fully accessible for students  
12 of all abilities, including that:

13 (A) all of the courses submitted for approval are  
14 reviewed to ensure they meet legal accessibility  
15 standards;

16 (B) the provider has policies and activities to  
17 ensure its organizational and course websites meet  
18 accessibility requirements; and

19 (C) the provider has no gateway exam or test in  
20 which a specific score is required to participate in  
21 Course Equity Program courses beyond completion of  
22 prerequisite coursework or demonstrated mastery of  
23 prerequisite material;

24 (3) demonstrate either:

25 (A) prior evidence of delivering quality outcomes

1 for students, as demonstrated by completion rates,  
2 student level growth, proficiency, or other  
3 quantifiable outcomes; or

4 (B) for a course provider applying to offer a  
5 subject or grade level for the first time, a detailed  
6 justification, in a manner determined by the State  
7 Board, ICCB, or BHE, as applicable, of how its  
8 organization's subject matter, instructional, or  
9 technical expertise will lead to successful outcomes  
10 for students;

11 (4) ensure instructional and curricular quality  
12 through a detailed curriculum and student performance  
13 accountability plan that aligns with and measures student  
14 attainment of relevant State academic standards or other  
15 relevant standards in courses without State academic  
16 standards; and

17 (5) provide assurances that the course provider shall  
18 electronically provide, in a manner and format determined  
19 by the State Board, ICCB, or BHE, as applicable, a detailed  
20 student record of enrollment, performance, completion, and  
21 grading information with the school systems where eligible  
22 participating students are enrolled full time.

23 A provider offering dual credit courses shall be exempt  
24 from item (C) of paragraph (2) of this Section.

25 Section 25. Course quality reviews. The State Board shall

1 establish a course review and approval process for non-dual  
2 credit providers. The process may be implemented by the State  
3 Board or by an entity designated by the State Board. The ICCB  
4 and BHE shall collaborate and establish course review and  
5 approval processes for dual credit courses that are identical  
6 to the extent practicable. In order to be approved and added to  
7 the Course Equity Catalog, a course must:

8 (1) be, at a minimum, the equivalent in instructional  
9 rigor and scope to a course that is provided in a  
10 traditional classroom setting;

11 (2) be aligned to relevant State academic standards or  
12 industry standards;

13 (3) possess an assessment component for determining  
14 student proficiency, as well as student growth if  
15 applicable; and

16 (4) be designed and implemented consistently with  
17 standards established by the State Board.

18 Section 30. Provider and course monitoring and  
19 reauthorization.

20 (a) The initial authorization of the course provider and  
21 approved courses shall be for a period of one year.

22 (b) Providers must annually report, in such a manner as  
23 directed by the State Board or by the ICCB and BHE if they are a  
24 dual credit provider:

25 (1) student enrollment data, including ethnic, income,

1 and gender demographics;

2 (2) student outcomes, growth measures if available,  
3 proficiency rates, and completion rates for each subject  
4 area and grade level; and

5 (3) student and parental feedback on overall  
6 satisfaction and quality.

7 (c) After the first year of the initial authorization  
8 period, the State Board shall conduct a thorough review of the  
9 course provider's activities and the academic performance of  
10 the students enrolled in courses offered by the course  
11 provider.

12 (d) If the performance of the students enrolled in courses  
13 offered by the course provider does not meet agreed-upon  
14 performance standards at any time, the course provider shall be  
15 placed on probation and be required to submit a plan for  
16 improvement. The State Board, ICCB, or BHE, as applicable,  
17 shall determine the terms of probation, specifically including  
18 the results the course provider must achieve to return to good  
19 standing. Course providers shall have a minimum of 90 days to  
20 achieve the results indicated in their terms of probation. The  
21 State Board, ICCB, or BHE, as applicable, shall, at their sole  
22 discretion, determine if the course provider has met the  
23 specified results required for the course provider to return to  
24 good standing. If a course provider fails to return to good  
25 standing within the timeframe cited in its terms of probation,  
26 the State Board, ICCB, or BHE, as applicable, may terminate its

1 status as a course provider. A course provider terminated as a  
2 result of being put on probation may not reapply to become a  
3 course provider.

4 (e) After the initial one year authorization period, the  
5 State Board, ICCB, or BHE may reauthorize the course provider  
6 for additional periods of up to 3 years after thorough review  
7 of the course provider's activities and the achievement of  
8 students enrolled in courses offered by the course provider.

9 (f) The State Board, ICCB, or BHE may exclude a course  
10 provided by an authorized provider at any time if the State  
11 Board, ICCB, or BHE, as applicable, determines that:

12 (1) the course is no longer adequately aligned with  
13 State academic standards;

14 (2) the course no longer provides a detailed and  
15 quality curriculum and accountability plan; or

16 (3) the course fails to deliver outcomes as measured by  
17 course completion, proficiency, or student academic growth  
18 on State or nationally accepted assessments.

19 Section 35. Interstate course reciprocity. The State  
20 Board, ICCB, or BHE may enter into a reciprocity agreement with  
21 other states for the purpose of authorizing and approving high  
22 quality providers and courses for the Course Equity Program and  
23 the operation of the Course Equity Catalog.

24 Section 40. Responsibilities of State Board, ICCB, and BHE.

1 (a) The State Board shall:

2 (1) publish the criteria required under Section 20 of  
3 this Act for courses that may be offered through the Course  
4 Equity Program;

5 (2) be responsible for creating the Course Equity  
6 Catalog;

7 (3) publish a link to the Course Equity Catalog in a  
8 prominent location on the State Board's website, which  
9 shall include a listing of courses offered by authorized  
10 providers available through the Course Equity Program, a  
11 detailed description of the courses, and any available  
12 student completion and outcome data;

13 (4) establish and publish a timeframe or specific dates  
14 by which students are able to withdraw from a course  
15 provided through the Course Equity Program without the  
16 student, school district, or course provider incurring a  
17 penalty; and

18 (5) maintain on the State Board's official website, in  
19 a prominent location, an informed choice report; each  
20 report under this Section must:

21 (A) be updated within 30 calendar days after  
22 additional provider authorizations;

23 (B) describe each course offered through the  
24 Course Equity Program and include information such as  
25 course requirements and the school year calendar for  
26 the course, including any options for continued

1 participation outside of the standard school year  
2 calendar;

3 (C) include student and parental comments and  
4 feedback as detailed under Section 30 of this Act; and

5 (D) be published online in an open format that can  
6 be retrieved, downloaded, indexed, and searched by  
7 commonly used web-search applications; an open format  
8 shall be one that is platform independent, machine  
9 readable, and made available to the public without  
10 restrictions that would impede the reuse of that  
11 information.

12 (b) The ICCB shall:

13 (1) publish the criteria required under Section 20 of  
14 this Act for dual credit courses offered by community  
15 colleges through the Course Equity Program;

16 (2) publish a link to the Course Equity Catalog in a  
17 prominent location on the ICCB's website, which shall  
18 include a listing of courses offered by authorized  
19 providers available through the Course Equity Program, a  
20 detailed description of the courses, and any available  
21 student completion and outcome data;

22 (3) establish and publish a timeframe or specific dates  
23 by which students are able to withdraw from a course  
24 provided through the Course Equity Program without the  
25 student, school district, or course provider incurring a  
26 penalty; and

1           (4) maintain on the ICCB's official website, in a  
2 prominent location, an informed choice report as  
3 previously outlined in this Section.

4           (c) The BHE shall:

5           (1) publish the criteria required under Section 20 of  
6 this Act for dual credit courses offered by public and  
7 private universities and colleges through the Course  
8 Equity Program;

9           (2) publish a link to the Course Equity Catalog in a  
10 prominent location on the BHE's website, which shall  
11 include a listing of courses offered by authorized  
12 providers available through the Course Equity Program, a  
13 detailed description of the courses, and any available  
14 student completion and outcome data;

15           (3) establish and publish a timeframe or specific dates  
16 by which students are able to withdraw from a course  
17 provided through the Course Equity Program without the  
18 student, school district, or course provider incurring a  
19 penalty; and

20           (4) maintain on the BHE's official website, in a  
21 prominent location, an informed choice report as  
22 previously outlined in this Section.

23           (d) The State Board, ICCB, and BHE shall jointly submit an  
24 annual report on the Course Equity Program and the  
25 participation of entities to the Governor and the General  
26 Assembly. The report shall, at a minimum, include the following

1 information:

2 (1) the annual number of students participating in  
3 courses authorized under this Act and the total number of  
4 courses students are enrolled in;

5 (2) the number of authorized providers;

6 (3) the number of authorized courses and the number of  
7 students enrolled in each course;

8 (4) the number of courses available by subject;

9 (5) the number of students enrolled in courses by  
10 subject; and

11 (6) student outcome data, including completion rates,  
12 student learning gains, and student performance on State or  
13 nationally accepted assessments, by subject and grade  
14 level by provider; this outcome data must be published in a  
15 manner that protects student privacy.

16 The State Board, ICCB, and BHE shall note any data not yet  
17 available at the time of submission and when the data will  
18 become available and include the data in future reports. The  
19 report and underlying data shall also be published online in an  
20 open format that can be retrieved, downloaded, indexed, and  
21 searched by commonly used web-search applications. An open  
22 format shall be one that is platform independent, machine  
23 readable, and made available to the public without restrictions  
24 that would impede the reuse of that information.

25 Section 45. Responsibilities of school district. A school

1 district shall:

2 (1) notify students and parents, as part of any course  
3 enrollment period or process, of the availability of Course  
4 Equity Program courses in correspondence that is written in  
5 simple and accurate language;

6 (2) publish information and eligibility guidelines on  
7 the school's and school district's website; and

8 (3) establish policies and procedures whereby, for  
9 each eligible participating student, credits earned  
10 through the course provider shall appear on each student's  
11 official transcript and count fully toward the  
12 requirements of any approved diploma.

13 The State Board shall adopt rules necessary to implement  
14 this Section, including, but not limited to, the requirements  
15 of school districts whose students enroll in courses offered by  
16 authorized course providers.

17 Section 50. Funding. Per-course tuition shall be  
18 determined as follows:

19 (1) After a provider is authorized to provide courses  
20 by the State Board, ICCB, or BHE, as applicable, it shall  
21 submit sealed bids to the State Board, ICCB, or BHE, as  
22 applicable, for courses it wants to provide.

23 (2) Each sealed bid shall include 3 components:

24 (A) total price, which is the total price the  
25 provider wants to charge for the course;

1           (B) base pay, which is the minimum percentage of  
2           the total price the provider is willing to receive for  
3           the course; and

4           (C) performance pay, which is the percentage of the  
5           total price the provider is willing to receive based on  
6           its performance.

7           (3) The State Board, ICCB, or BHE, as applicable, shall  
8           review bids according to quality criteria outlined in  
9           Section 25 of this Act.

10          (4) If the State Board, ICCB, or BHE, as applicable,  
11          believes the first sets of bids do not represent what it  
12          believes to be a fair value for a course, it may ask  
13          approved providers to submit new bids. Such bids shall take  
14          the same form as the initial sealed bids.

15          Transfers of course payments shall be made by the school  
16          district in which the student resides to the authorized course  
17          provider. A course provider shall receive payment only for the  
18          courses in which an eligible funded student is enrolled. The  
19          remaining funds for each student shall remain with the school  
20          district in which the student is enrolled full time.

21          A course provider shall accept the amount agreed to by the  
22          course provider and the State Board, ICCB, or BHE, as  
23          applicable, as total tuition and fees for the eligible funded  
24          student. A course provider may charge tuition to an eligible  
25          participating student up to the amount agreed to by the course  
26          provider and the State Board.

1 Performance shall be measured based on student outcomes,  
2 including course completion, results from independent  
3 end-of-course exams, Advanced Placement exams, receipt of  
4 industry-recognized credentials, receipt of credit from  
5 institutions of higher education, or other externally  
6 validated measures. If a course provider does not meet its  
7 performance benchmarks as agreed to by the provider and the  
8 State Board, ICCB, or BHE, as applicable, the State Board shall  
9 return all remaining funds to the school district of the  
10 eligible funded student that enrolled in the course. Eligible  
11 participating students shall receive a similar refund from the  
12 State Board for any courses they enrolled in.

13 Section 55. Course Equity Fund.

14 (a) The Course Equity Fund is created as a special fund in  
15 the State treasury. All money in the fund shall be used by the  
16 State Board to assist school districts in paying for eligible  
17 participating students' enrollment in core courses offered  
18 through the Course Equity Program at the following levels:

19 (1) For students attending schools in school districts  
20 subject to the Alternate Method or Foundation formula,  
21 according to the following formula: the cost of the Course  
22 Equity Program course multiplied by 100% less the school  
23 district's low-income concentration.

24 (2) For students attending schools in school districts  
25 subject to the Flat Grant formula, no assistance may be

1 offered.

2 (b) Subject to the State Officials and Employees Ethics  
3 Act, the State Board is authorized to receive and expend gifts,  
4 grants, and donations of any kind from any public or private  
5 entity to carry out the purposes of this Section. Funds  
6 received under this subsection (b) must be deposited into the  
7 Course Equity Fund.

8 Section 60. Transportation. School district, parental, and  
9 personal transportation costs for student transportation to  
10 and from Course Equity Program courses shall be redeemable  
11 under Section 120.30 of Title 23 of the Illinois Administrative  
12 Code.

13 Section 65. Rules. The State Board may adopt any rules  
14 necessary to implement this Act.

15 Section 90. The State Finance Act is amended by adding  
16 Section 5.875 as follows:

17 (30 ILCS 105/5.875 new)

18 Sec. 5.875. The Course Equity Fund.

19 Section 99. Effective date. This Act takes effect January  
20 1, 2017."